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11 *Attorneys for Plaintiff, Christiana Trust, A Division of Wilmington Savings Fund Society, FSB,*
12 *Not in Its Individual Capacity But as Trustee of ARLP Trust 3*

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRISTIANA TRUST, A DIVISION OF
WILMINGTON SAVINGS FUND
SOCIETY, FSB, NOT IN ITS INDIVIDUAL
CAPACITY BUT AS TRUSTEE OF ARLP
TRUST 3,

Plaintiff,

vs.

CHICAGO TITLE INSURANCE
COMPANY,

Defendant.

Case No.: 2:19-cv-00385-JAD-VCF

**STIPULATION AND ORDER FOR
LIMITED STAY OF CASE**

(FIRST REQUEST)

ECF No. 51

Plaintiff, Christiana Trust, A Division of Wilmington Savings Fund Society, FSB, Not in
Its Individual Capacity But as Trustee of ARLP Trust 3 (“Christiana Trust”) and Defendant
Chicago Title Insurance Company (“Chicago Title”) (collectively the “Parties”) by and through
their respective counsel, hereby stipulate and agree as follows:

This matter involves a title insurance coverage dispute wherein Christiana Trust contends,
and Chicago Title disputes, that the title insurance claim involving an HOA assessment lien and
subsequent sale was covered by the subject policy of title insurance. There are now currently
pending in the United States District Court for the District of Nevada and Nevada state courts
more than one-hundred actions between national banks, on the one hand, and title insurers, on the
other hand. In virtually all of these actions, the title insurer underwrote an ALTA 1992 or ALTA

1 2006 loan policy of title insurance with form 1 coverage, along with the CLTA 100/ALTA 9
2 and/or CLTA 115.2/ALTA 5 endorsements.

3 The Parties have conferred and agree that this case should be stayed an additional six
4 months. There are now two fully briefed appeals to the Nevada Supreme Court involving similar
5 coverage disputes in *PennyMac Corporation v. Westcor Title Insurance Company*, Nevada
6 Supreme Court Case No. 83737 (District Court Case No. A-18-781257-C) and *Deutsche Bank*
7 *National Trust Company v. Fidelity National Title Insurance Company*, Nevada Supreme Court
8 Case No. 84161 (District Court Case No. A-20-820307-C). The Parties anticipate that the Nevada
9 Supreme Court's decisions in the foregoing appeals may touch upon issues regarding the
10 interpretation of policy and claims handling, that could potentially affect the disposition of the
11 instant action.

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Accordingly, the Parties believe an additional stay of six months in the instant action will best serve the interests of judicial economy. The Parties request that the action be stayed for a period of six months, through and including, May 2, 2023. The Parties are to submit a Joint Status Report on or before May 2, 2023. The Parties further agree that this stipulation and stay of this case is entered based on the specific circumstances surrounding this particular case, and that this stipulation shall not be viewed as a reason for granting a stay in any other pending matter.

IT IS SO STIPULATED.

DATED this 4th day of November, 2022.

DATED this 4th day of November, 2022.

WRIGHT, FINLAY & ZAK, LLP

SINCLAIR BRAUN LLP

/s/ Lindsay D. Dragon, Esq.

/s/ Kevin S. Sinclair, Esq.

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Division of Wilmington Savings Fund

Insurance Company

Society, FSB, Not in Its Individual Capacity

But as Trustee of ARLP Trust 3

ORDER

Based on the parties' stipulation [ECF No. 51] and good cause appearing, IT IS SO ORDERED. The Clerk of Court is directed to ADMINISTRATIVELY CLOSE this case.


UNITED STATES DISTRICT COURT JUDGE
November 4, 2022